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PATENT ATTORNEY DOCKET NO.: 040894-5425-01

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i digital di	N THE UNITED STATES PATENT	AND	TRADEMARK OFFICE	
In re Applica	tion of:	)		
Junichi MAT	SUSHITA, et al.	)	Confirmation No. 7852	
Application N	No.: 09/901,913	)	Art Unit: 2826	
Filed: July 1	1, 2001	)	Examiner: A. Sefer	
Commissione U.S. Patent at 2011 South C Customer Wi	nd Trademark Office Clark Place ndow Two, Lobby, Room 1B03	j		
Sir:				
	REQUEST FOR RECONSIDERAT	TION ]	TRANSMITTAL FORM	
	mitted herewith is a Request for Reco August 18, 2003.	nsidera	tion responding to the Offic	e Action
2. Addit	ional papers enclosed:			
	Drawings: Formal Informal Information Disclosure Statement w Form PTO-1449, references in Citations Declaration of Biological Deposit Submission of "Sequence Listing", pertaining thereto for biotechnology acid sequence.	ith form	m PTO-1449 and 1 cited reference ter readable copy and/or amo	endment
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The proceedings herein	are for a patent	application a	and the provi	sions of
37 C.F.R. § 1.136(a) ap	ply.			

 Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants
have inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<b>Total Months</b>	Fee for	[Fee for Small	
Requested	<b>Extension</b>	Entity]	
one month	\$ 110.00	\$ 55.00	
two months	\$ 420.00	\$ 210.00	
three months	\$ 950.00	\$ 475.00	
four months	\$ 1,480.00	\$ 740.00	

Extension of time fee due with this request: \$ **0.00**.

If an additional extension of time is required, please consider this a Petition therefor.

An extension for \_\_\_\_\_months has already been secured and the fee paid therefor of \$\_\_\_ is deducted from the total fee due for the total months of extension now requested.

## 4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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## 5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS	AMENDED			· · · · · · · · · · · · · · · · · · ·		
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	1	minus	29	0	x \$18 each=	+ \$ 0.00
Independent Claims (37 C.F.R.§1.16(b))	1	minus	3	0	x \$86 each=	+ \$ 0.00
[] First presentation of Multiple dependent claim(s) \$290.00				+ \$ 0.00		
SUB-TOTAL =					\$ 0.00	
Reduction by ½ for filing by a small entity				- \$ 0.00		
TOTAL FEE =				\$ 0.00		

6.	Fee	Pay	/m	ent

	No fee is to be paid at this time.
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- The Commissioner is hereby authorized to charge <u>\$180.00</u> for the Information Disclosure Statement filing fee due to Deposit Account No. 50-0310.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP** 

Dated November 13, 2003

Mary Jane Boswel
Reg. No. 33,652

**CUSTOMER NO. 09629** 

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Revised: 01/01/03